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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/629,464	07/31/2000	Hiroyuki Sayuda	046601-5056	5381

9629 7590 03/19/2007
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EXAMINER

THOMPSON, JAMES A

ART UNIT	PAPER NUMBER
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2625

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/19/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/629,464

Applicant(s)

SAYUDA, HIROYUKI

Examiner

James A. Thompson

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 25-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 July 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 24 January 2007 has been entered.

Response to Arguments

2. Applicant's arguments filed 24 January 2007 have been fully considered but they are not persuasive. The new claims have been fully considered by Examiner and are deemed to be anticipated by the prior art. Accordingly, prior art rejections are set forth in detail below.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 25-35 are rejected under 35 U.S.C. 102(e) as being anticipated by Reber (US Patent 6,138,151).**

Regarding claims 25 and 31: Reber discloses an image processing apparatus (figure 1 of Reber) comprising an image data generation unit (figure 1(42) of Reber) that generates an image data including an image element (printed code) based on a document data (column 4, lines 13-19 of Reber), the document data including link information (column 3, line 65 to column 4, line 4 of Reber) that indicates a location of related information related to the image element (column 5, lines 57-65 of Reber) and appearance information that defines a position (e.g., next to the article) of the image element in the image data (column 7, lines 12-17 of Reber); an embedding data generation unit (figure 1(46) of Reber) that receives identification information corresponding to the link information (column 6, lines 10-24 of Reber)

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and is smaller than the link information in data size (column 5, lines 11-17 of Reber), and configured to generate a control data to embed the identification information by superimposing over the position of the image element (*e.g.*, next to the article) based on the appearance information (column 7, lines 7-17 of Reber); and an embedded image formation unit (figure 1(62) of Reber) that generates pixel data to be formed on a recording medium based on the image data and control data (column 7, lines 12-28 of Reber), the pixel data including the identification information superimposed over the position of the image element (column 7, lines 12-17 and lines 46-53 of Reber). The position of the image element (the printed code) is defined as a particular location in the document, such as a position adjacent to an associated article (column 7, lines 12-17 of Reber). The printed code contains information, such as link information (column 3, line 65 to column 4, line 4 of Reber), along with the identification of the article the printed code is associated with, thus allowing the printed code to be printed adjacent to said article (column 7, lines 7-17 of Reber).

Further regarding claim 31: The apparatus of claim 25 performs the method of claim 31.

Regarding claims 26 and 32: Reber discloses that the link information is URL (column 5, lines 25-28 of Reber).

Regarding claims 27 and 33: Reber discloses an image forming unit (figure 6(63) and column 6, lines 25-30 of Reber) that forms the pixel data on the recording medium in a state that the identification information is accessible by a user (column 3, lines 15-20 of Reber).

Regarding claim 28: Reber discloses an identification information management unit (figure 1 (52) and column 4, line 62 to column 5, line 10 of Reber).

Regarding claims 29 and 34: Reber discloses that the embedding data generating unit extracts the link information from the document data (column 6, lines 23-37 of Reber), registers the extracted link information in the identification information management unit (column 8, lines 32-43 of Reber), and receives the identification information corresponding to the link information from the identification information management unit in response to the registration (column 8, lines 32-43 of Reber).

Regarding claims 30 and 35: Reber discloses that the embedded image formation unit generates the pixel data in a form or in a color that is difficult to identify the identification information visually (column 4, lines 5-12 of Reber).

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Thompson whose telephone number is 571-272-7441. The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



15 March 2007

James A. Thompson
Examiner
Technology Division 2625



DAVID MOORE
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